



DEPARTMENT OF THE NAVY
COMMANDER NAVY REGION SOUTHWEST
937 N. HARBOR DR.
SAN DIEGO, CA 92132-0058

IN REPLY REFER TO:

COMNAVREGSWINST 12720.1

N04HD/N00H2R

23 NOV 2005

COMNAVREGSW INSTRUCTION 12720.1

From: Commander, Navy Region Southwest

Subj: NAVY REGION SOUTHWEST EQUAL OPPORTUNITY PROGRAM POLICIES

Ref: (a) SECNAV EEO Policy Statement
(b) SEVNAVINST 5300.26C
(c) OPNAVINST 5354.1 Series
(d) DON CHRM Subchapter 1601

Encl: (1) Equal Opportunity Policy Statement

1. Purpose. To publish Commander, Navy Region Southwest (CNRSW) policies on Equal Opportunity, Equal Employment Opportunity and related programs.

2. Background. The security and prosperity of our country depends upon our ability to develop and draw upon the many talents of our diverse military and civilian population. All active duty personnel, reserve service members, and civil service employees have the right to do their jobs without fear of discrimination or harassment. As CNRSW, it is my responsibility to ensure each employee enjoys this basic right. I am committed to enforcing the Navy's policies stipulated in references (a) and (d). I will not tolerate discrimination or harassment of, or by, any Navy or Department of Defense employee.

3. Organization. CNRSW is the designated Equal Employment Opportunity Officer. An Equal Opportunity (EO) Advisor (NEC 9515) and a Deputy Equal Employment Opportunity (EEO) Officer (N04H3R) are assigned to advise the Commander on all matters relating to the EO and EEO Programs, respectively. Equal Employment Opportunity Counselors are available at all commands in the region.

4. Action. Program Managers, Program Directors, managers and supervisors are responsible for:

a. Publicizing enclosure (1) to all employees and ensuring compliance with the provisions.

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b. Posting enclosure (1) on bulletin boards in the Navy
Region Southwest web place.



L. R. HERING

Distribution:

Electronic only, via CNRSW Directive Web site
<http://www.cnrsw.navy.mil/Admin/index.htm>



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COMMANDER NAVY REGION SOUTHWEST

EQUAL OPPORTUNITY POLICY STATEMENT

People are our most valuable resource. During these times of limited resources, it is particularly important we take positive actions to ensure compliance with Navy Regulations and Federal Mandates Regarding Equal Opportunity (EO) for service members and Equal Employment Opportunity (EEO) for civilian employees. We must ensure fair and equitable treatment of both military and civilian personnel and be sensitive toward our culturally diverse work force. To achieve mission accomplishment, personnel must realize the significance of the diversity within our military community. Our actions must be such that race, color, religion, gender, age, physical or mental disability or national origins are never an issue in any leader or supervisor's decision within the work place.

As Commander, Navy Region Southwest, I am committed to Equal Opportunity and Equal Employment opportunity as a command function. It is my responsibility to ensure all active duty personnel, reserve service members, and civil service employees have the right to do their jobs without fear of discrimination or harassment.



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Attachments:

- (1) EEO Program Policy
- (2) People with Disabilities and Disabled Veterans Program Policy
- (3) Discrimination and Sexual Harassment Policy
- (4) Jokes and Slurs Policy
- (5) Extremist/Hate Groups Policy

Enclosure (1)



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EQUAL EMPLOYMENT OPPORTUNITY PROGRAM POLICY

As the Equal Employment Opportunity Officer for Navy Region Southwest, I reaffirm the Department of the Navy's policy on Equal Employment Opportunity and, and conform to the Department of Defense's "Memorandum on Equal Employment Opportunity for civilians within the Department of Defense."

Navy Region Southwest will provide opportunity for civilian employees to rise to their highest potential, based solely on individual talent and diligence. Civilian service in this command is a paradigm of Equal Employment Opportunity for all regardless of race, color, religion, gender, age, disability or national origin.

The responsibility for carrying out a successful model EEO Program effort, under the Equal Employment Opportunity Commission guidance, rests with each one of us. We will provide every employee, regardless of race, color, religion, gender, age, disability or national origin, the opportunity to rise to their full potential.

Navy Region Southwest is a model region within the Department of the Navy in the area of Equal Employment Opportunity. All leaders and supervisors (military and civilian) are assigned the responsibility of positive action in achieving Equal Employment Opportunity goals. We are, collectively and individually, responsible for the program's success, as we each contribute to the improvement of society through greater utilization of our human resources. Management performance shall be evaluated in terms of this support, as well as other major command goals.

I look forward to full cooperation in maintaining a qualified civilian work force that is reflective of our nation's population.


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PEOPLE WITH DISABILITIES AND DISABLED VETERAN PROGRAM POLICY

As the Equal Employment Opportunity Officer for Navy Region Southwest, I reaffirm the Department of the Navy's policy on employment of disabled veterans and qualified personnel who have a physical or mental disability. Disabled veterans and other disabled persons display the same high levels of motivation, productivity and dependability as all others and are an important resource. These employees display the same talents and skills needed to ensure that the mission of the Department of the Navy is met.

Navy Region Southwest shall actively recruit, train and retain all personnel in a nondiscriminatory environment. I encourage initiative and personal leadership to explore increased recruitment, employment, career development and promotion opportunities for disabled veterans and disabled individuals. Reasonable accommodations for qualified individuals who have a disability shall be made as funding is available. Accommodations shall include removal or lessening of architectural barriers; restructuring work sites; restructuring jobs and purchasing or modifying existing equipment. Navy Region Southwest is a model employer of disabled veterans and individuals with disabling condition(s).


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DISCRIMINATION AND SEXUAL HARASSMENT POLICY

Discrimination, sexual harassment or harassment for any reason in the Federal work place are against the law. These unfair practices will not be tolerated. We must be sensitive to any occurrence of these practices and use every means at our disposal to eliminate them.

Definition of terms: Discrimination is an act, policy or procedure that arbitrarily denies equal treatment to an individual or a group of individuals because of race, color, religion, gender, age, disability or national origin. Sexual harassment is a form of sex discrimination involving unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; and/or
2. submission to, or rejection of, such conduct by a person is used as a basis for career or employment decisions affecting that person; and/or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a service member or civilian employee is engaging in sexual harassment. Similarly, any service member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

The "Reasonable Person" standard will be used to determine whether behavior constitutes harassment or sexual harassment. This objective standard considers what a reasonable person's reaction would have been under similar circumstances and in a similar environment. This standard considers the recipient's perspective and not stereotyped notions of acceptable behavior.

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For example, a work environment in which sexual or racial slurs, the display of sexually suggestive calendars, or other offensive behavior abound would be a harassing environment to a reasonable person even if those who work there think that kind of behavior is harmless or insignificant. By the same token, a reasonable person would not consider a group of men in summertime jogging gear to be suggestive, even if someone else did.

Discrimination and harassment including sexual harassment are prohibited in the work place, in any other place that is work-connected, and in the conditions or atmosphere under which people are required to work. Examples of work environment include, but are not limited to, an office, an entire office building, a Department of Defense (DoD) base or installation, ships, aircraft or vehicles, and anywhere when engaged in official DoD business, as well as command-sponsored social, recreational and sporting events, regardless of location.

No individual shall:

1. commit unlawful discrimination, harassment or sexual harassment; or
2. take reprisal against a person who provides information on an incident. A reprisal is the wrongful threatening or taking of either unfavorable action against another, or withholding favorable action from another, solely in response to a report of discrimination or sexual harassment; or
3. knowingly make a false accusation of discrimination or sexual harassment; or
4. While in a supervisory or command position, condone or ignore discrimination or sexual harassment of which he or she has knowledge or should have knowledge.

Reports of discrimination and sexual harassment will be thoroughly investigated. Appropriate action will be swift in substantiated cases, including those cases involving supervisors who condone or ignore such misconduct. The chain of command shall be fully utilized and instances of discrimination/sexual harassment will be resolved at the lowest possible level. All cases or suspected incidents of sexual harassment and discrimination should be reported by the victim to their immediate supervisor or next senior person in the chain of command who is not involved, and/or to an Equal Opportunity Advisor.

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If a complainant is not satisfied during the complaint process, they may use the Inspector General's Fraud, Waste and Abuse Hotline at DSN: 288-6743 or toll-free 1-800-522-3451 or 1-800-253-0931 (Sexual Harassment and EO Advice Line).

Military and civilian personnel alike are encouraged to use the Informal Resolution System (IRS) as a means of direct resolution of discrimination or sexual harassment complaints (not independently criminal in nature). The IRS was designed to complement, not replace, current formal procedures for resolving complaints of discrimination. The IRS provides an opportunity for the individuals involved to resolve the conflict at an informal level.

The prevention of discrimination and sexual harassment exemplifies the Department of the Navy's goal to uphold the highest standards of leadership and personal conduct. Each leader, manager and supervisor is responsible for providing training and guidance to personnel and taking prompt corrective action upon encountering evidence of inappropriate conduct.

Discrimination and sexual harassment are demeaning, inappropriate and absolutely unacceptable. They undermine unit cohesion and will not be tolerated in any form aboard Navy Region Southwest. I expect every civilian and military member of this command to support this policy and to work with me to achieve an environment free from all forms of unlawful discrimination.



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JOKES AND SLURS POLICY

The Department of the Navy and Navy Region Southwest are committed to a program of aggressive action to achieve equality in treatment for all civilian and military personnel. Race, sex, religion, disability, national origin, color and age are not factors in determining the worth of an individual to the Navy or to Navy Region Southwest. Maintaining an environment of equality is essential to a high state of morale, discipline and effectiveness.

Consistent with the Department of the Navy's policy, it is my responsibility to ensure all Navy Region Southwest personnel, both civilian and military, are able to work in an environment free from discrimination and harassment. Within this command, race, gender, age, religion, national origin and disability jokes and slurs will not be tolerated. This prohibition applies to all civilian and military managers, supervisors and coworkers. Personnel who violate this policy are subject to the full range of disciplinary procedures.

Individuals who are subjected to race, gender, age, religion, national origin and/or handicap jokes and slurs shall make it clear that such behavior is offensive and shall report the incident to their immediate supervisor or next senior person in the chain of command who is not involved, and/or to the Equal Opportunity Advisor at (619) 532-4797. If the complainant is not satisfied that the complaint has been, or will be, properly resolved by this command, they may use the Inspector General's Fraud, Waste, and Abuse Hotline at DSN: 288-6743, commercial: (203) 433-6743, or toll-free at 1-800-522-3451. Reported incidents will be treated with the seriousness this issue warrants.


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EXTREMIST ORGANIZATIONS AND ACTIVITIES POLICY

Extremist organizations and activities are those that espouse supremacist causes; attempt to create illegal discrimination based on race, color, gender, religion, disability, or national origin; advocate the use of force or violence against the Government of the United States or the government of any state, territory, district, or possession therefore, or the government of any subdivision therein; or otherwise engage in efforts to deprive individuals of their civil rights. Participation in extremist organizations or activities is inconsistent with the responsibilities of military service. It is the policy of the U.S. Navy to provide equal opportunity and treatment for all personnel without regard to race, color, religion, non-disqualifying handicap, gender or national origin. Therefore, Navy personnel are prohibited from participating in extremist organizations or organizations that support supremacist causes.

Consistent with the Department of the Navy policy, Navy Region Southwest military personnel are prohibited from supporting extremist organizations or activities to include:

- a. Participating in a public demonstration or rally;
- b. Fund raising;
- c. Recruiting or training members (including encouraging other Sailors to join);
- d. Creating, organizing, or taking a leadership role in such an organization or activity.

It is my responsibility to ensure compliance with this prohibition. In any case of a Sailor's involvement with, or in, extremist organizations or activities, I shall employ the full range of administrative procedures, including separation or appropriate disciplinary action.


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